

2. Plaintiff served Hamilton with its Original Petition on or about December 19, 2019. Accordingly, Hamilton files this timely Notice of Removal within thirty (30) days of receiving service of process and citation. 28 U.S.C. § 1446(b).

II. BASIS FOR REMOVAL

3. Removal is proper based upon diversity of citizenship under 28 U.S.C. §§ 1332(a)(1), 1441(a), and 1446.

A. The Proper Parties Are Diverse

4. Upon information and belief, and as pled in Plaintiff's Original Petition, Plaintiff Waloon is a privately held Texas corporation organized and operating under the laws of the State of Texas with its principal place of business in Harris County, Texas. Plaintiff's Original Petition at p. 1, ¶ 2.

5. As of 2017, Hamilton, an AIG subsidiary, began operating under its new name, Blackboard Specialty Insurance Company ("Blackboard"). Both at the time the lawsuit was originally filed, and at the time of removal, Blackboard f/k/a Hamilton is a corporation incorporated and existing under the laws of Delaware, with its principal place of business in New York. Accordingly, complete diversity of citizenship exists among the parties.

B. The Amount in Controversy Exceeds the Jurisdictional Requirements for Diversity Jurisdiction

6. The amount in controversy requirement for diversity jurisdiction under 28 U.S.C. § 1332(a) is clearly satisfied in this case as evidenced by Plaintiff's Original Petition, in which Plaintiff expressly alleges that it is "seeking monetary relief over \$1,000,000 but not over \$2,500,000". Plaintiff's Original Petition at p. 2, ¶ 4. This amount clearly exceeds the requirement for subject matter jurisdiction and demonstrates that the amount in controversy requirement is satisfied.

C. Removal is Procedurally Correct

7. Plaintiff commenced this civil action against Hamilton in state court on November 8, 2019. Hamilton first received notice of Plaintiff's Original Petition on December 19, 2019. Hamilton is filing this Notice within the 30-day time period required by 28 U.S.C. § 1446(b) and within a year of the date suit was first filed in state court.

8. Venue is proper in this District and Division under 28 U.S.C. § 1446(a) because this District and Division include the county in which the state action has been pending and because a substantial part of the events giving rise to Plaintiff's claims allegedly occurred in this District and Division. Plaintiff's Original Petition at p. 2, ¶ 5-6.

9. Pursuant to 28 U.S.C. § 1446(a), attached hereto is the Index of Matters Being Filed that clearly identifies each document and indicates the date the document was filed in state court. Attached is a copy of all documents filed in the state court action as identified on the Index of State Court Documents.

10. Pursuant to 28 U.S.C. § 1446(d), promptly after Hamilton files this Notice, written notice of the filing will be given to Plaintiff.

11. Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of this Notice will be promptly filed with the Clerk of the Harris County District Court after Hamilton files this Notice.

III. CONCLUSION

Based upon the foregoing, and other documents filed contemporaneously with this Notice of Removal and fully incorporated herein by reference, Defendant Hamilton Specialty Insurance Company hereby removes this case to this Court for trial and determination.

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Christopher N. Avery

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of January, 2020, a true and correct copy of the foregoing was served via e-service to counsel of record in accordance with the Federal Rules of Civil Procedure.

/s/ Christopher N. Avery

Christopher N. Avery

